

ORDINANCE NUMBER: 2022 - 45

Public Records of St. Johns County, FL
Clerk number: 2022070719
BK: 5600 PG: 1349
7/20/2022 10:03 AM
Recording \$27.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL HIGHWAY TOURIST (CHT) TO RESIDENTIAL, SINGLE FAMILY (RS-3); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the application, dated March 8, 2022 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2022-007 Surfside Residential Lots**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning to **Residential Single Family (RS-3)** is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to conforming adjacent land uses. (Objective A.1.3.11)
 - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
 - (c) The proposed project is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan.
3. The rezoning to **Residential Single Family (RS-3)** is consistent with the St. Johns Land Development Code.
4. The zone district of **Residential Single Family (RS-3)** is consistent with the land uses allowed in the land use designation of Residential-C as described in Policy A.1.11(m) of the 2025 St. Johns County Comprehensive Plan and as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2022-07** the zoning classification of the lands described within the attached legal descriptions, Exhibit "A",

is hereby changed to Residential Single Family (RS-3).

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this Ordinance, no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein. Notwithstanding any provision of this Ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

SECTION 4. It is the intent of the St. Johns County Board of County Commissioners that scrivener and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

SECTION 5. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 6. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 7. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 21 **DAY OF** June **2022.**

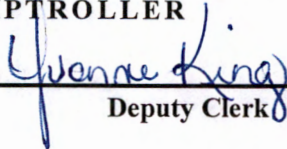
**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY:


HENRY DEAN, CHAIR

**ATTEST: BRANDON J. PATTY, CLERK
OF THE CIRCUIT COURT &
COMPTROLLER**

BY:


Deputy Clerk

Rendition Date JUN 23 2022

EFFECTIVE DATE:

JUN 24 2022



Exhibit A

Legal Description

Parcel Id: 1466900050

Lot 5, Block G, Unit "A" of SURFSIDE, according to the plat thereof recorded in Map Book 4, page 32, of the public records of St. Johns County, Florida

Tax Description: 4/32 SURFSIDE UNIT A LOT 5 BLK G OR5401/1835

Parcel Id: 1466900070

Lot 7, Block G, Unit "A" of SURFSIDE, according to the plat thereof recorded in Map Book 4, page 32, of the public records of St. Johns County, Florida

Tax Description: 4/32 SURFSIDE UNIT A LOT 7 BLK G OR5401/1835

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA. WITNESS MY HAND AND OFFICIAL SEAL THIS

19th DAY OF July 2022

ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners

By: Luanne King, Deputy Clerk



THE ST. AUGUSTINE RECORD
Affidavit of Publication

BRIAN BERG
151 SANTA MONICA AVE
SAINT AUGUSTINE, FL 32080

ACCT: 61375
AD# 0003411848-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS


Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a SA Legal Classified in the matter of REZ-2022000007 was published in said newspaper in the issue dated 04/22/2022.

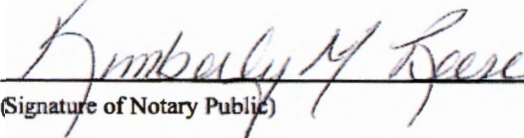
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

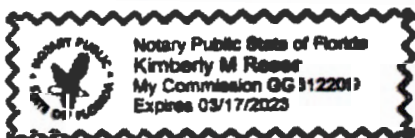
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this ____ day of **APR 22 2022**

by  who is personally known to me or who has produced as identification


(Signature of Notary Public)



NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 5/19/2022 at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida and on 6/21/2022 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a Request to rezone approximately 42 acres of land from Commercial Highway Tourist (CHT) to Residential, Single Family (RS-3)

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL HIGHWAY TOURIST (CHT) TO RESIDENTIAL, SINGLE FAMILY (RS-3); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is COASTAL HWY (Parcels 146690-0050 and 146690-0070). See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

Interested parties may appear at the meeting and be heard in respect to the proposed ordinance.

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1-800-955-8770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY	BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA	ST. JOHNS COUNTY, FLORIDA
GREG MATOVINA, CHAIR	HENRY DEAN, CHAIR
FILE NUMBER: REZ-202200007	
PROJECT NAME: Surfside Residential Lots	





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 27, 2022

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Honorable Brandon Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2022-45, which was filed in this office on June 24, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/wlh

FILED JUN 24 2022
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK